

AMENDMENTS TO THE DRAWINGS

FIG. 31 is amended to add a legend of "Prior Art." Appendix A contains a formal replacement sheet for FIG. 31, which reflects the amendment described below in the Remarks section of this paper.

REMARKS

Reconsideration of this application in view of the foregoing amendments and the following remarks is respectfully requested.

Claim Status

Claims 1-17 are pending and rejected. Claims 1, 2, 4, 5, 11, 12, 14, and 15 are amended herein and new claims 18-23 are added herein. Claims 3, 6-10 and 13 are canceled without prejudice or disclaimer. Claims 1, 5, 11, and 15 are independent in form. No new matter has been added by the claim amendments or new claims.

Objection to the Specification

The Examiner has objected to the title of the invention as not being descriptive. (See Office Action, ¶1, p. 2.) An amended title is herein presented. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this objection.

Objection to the Drawings

The Examiner has objected to the FIG. 31, because “only that which is old” is illustrated. (See Office Action, ¶2, p. 2.) FIG. 31 is amended herein to add a legend of “Prior Art.” As formal drawings have been submitted for all drawings, a replacement formal drawing for Figure 31 reflecting the above amendment is attached as Appendix A hereto. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection FIG. 31.

Claim Rejections

Claims 1-2, 4, 6-7, 9, 11-12, 14 and 16-17 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,750,990 to Ohashi (“Ohashi”). (See Office Action, ¶4, p. 2.) Claims 3, 8 and 13 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ohashi in view of U.S. Patent No. 6,792,161 to Imaizumi et al. (“Imaizumi”). (See Office Action, ¶6, p. 4.) Claims 5, 10, and 15 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ohashi in view of U.S. Patent No. 6,336,082 to Nguyen et al. (“Nguyen”). (See Office Action, ¶7, p. 5.)

Applicant respectfully disagrees with the characterization of the pending claims and of the teachings attributed to the prior art in the stated rejections, and respectfully traverses these rejections.

Applicant has herein amended claims 1, 2, 4, 5, 11, 12, 14, and 15 to further clarify the claimed invention.

Independent apparatus claim 1 is directed to an “image reading apparatus comprising: an original convey unit adapted to move an original in a sub-scanning direction; an image reading unit adapted to read the original while moving the original by using said original convey unit; an abnormality detection unit adapted to detect an abnormality on a reading position of said image reading unit before said image reading unit reads the original; and a control unit adapted to limit an original size in a main-scanning direction which is permitted to be read by said image reading unit in accordance with the position of the abnormality detected by said abnormality detection unit.” Claim 11 bears similar recitation in a corresponding method claim.

In the present invention, using the image reading apparatus and corresponding method recited by independent claims 1 and 11, respectively, an abnormality on a reading

position of an image reading unit is detected before the image reading unit reads an original, and the original size in a main-scanning direction which is permitted to be read is limited in accordance with the position of the abnormality detected, in the case that the original is read while moving the original. None of the cited prior art references disclose, teach, or suggest, taken individually or in combination, the subject matter recited by independent claims 1 and 11.

Independent claim 5 is directed to an “image reading apparatus comprising: an original convey unit adapted to move an original; an image reading unit adapted to read the original while moving the original by using said original convey unit and output image reading data; an abnormality detection unit adapted to detect an abnormality on reading position of said image reading unit before said image reading unit reads the original; and a control unit adapted to limit a resolution of the image reading data in accordance with the size of the abnormality detected by said abnormality detection unit.” Claim 15 bears similar recitation in a corresponding method claim.

Using the image reading apparatus and corresponding method recited by independent claims 5 and 15, respectively, an abnormality on a reading position of an image reading unit is detected before the image reading unit reads an original, and a resolution of an image reading data is limited in accordance with a size of the abnormality detected, in the case that the original is read while moving the original. None of the cited prior art references disclose, teach, or suggest, taken individually or in combination, the subject matter recited by independent claims 5 and 15.

Thus, the present invention as recited in independent claims 1, 5, 11 and 15 and the claims depending therefrom is believed neither anticipated by nor rendered obvious in view of, and thus patentably distinct over, the art of record, taken individually or in combination.

Dependent Claims

Applicant does not believe it necessary at this time to individually address the rejections of the pending dependent claims as Applicant believes that the independent claims are in condition for allowance and that the dependent claims are allowable for at least similar reasons. Applicant, however, reserves the right to address those rejections in the future should such a response be deemed necessary and appropriate.

New claims 18-23

New dependent claims 18-23 are added and are believed allowable for at least similar reason as for the independent claims from which they each depend. No new matter has been added.

CONCLUSION

In view of the foregoing, the present invention as recited in the claims presented herein is believed patentably distinct over the art of record and Applicant respectfully requests that the stated rejections and objections be withdrawn. The application is believed to be hereby placed in condition for allowance, which action is respectfully requested.

If any outstanding issues remain, however, the Examiner is invited to contact the undersigned at the telephone number below.

AUTHORIZATION

While no extension of time is believed necessary for this Amendment, should an extension of time be required for the timely submission of this paper, such extension is hereby petitioned, and the Commissioner is hereby authorized to charge any additional fees which may

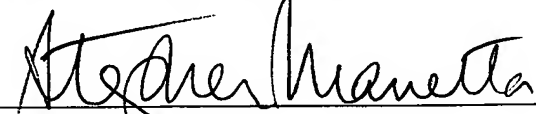
be required for this Amendment, or credit any overpayment, to Deposit Account No. 13-4500,
Order No. 1232-4799.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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APPENDIX A

Replacement sheet for FIG. 31